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SUBJECT: URUGUAY 2009 TRAFFICKING IN PERSONS (TIP) REPORT

Ref: 2008 STATE 132759

11. SUMMARY: There is a relatively low incidence of trafficking in persons in Uruguay but the government is nonetheless undertaking robust efforts to improve public consciousness, detection, prosecution and protection of victims, to the extent possible with existing resources. These efforts to tackle TIP include: recent anti-TIP legislation, new courts dedicated to combating organized crime, two major government-supported studies on TIP issues, TIP-specific training programs, and large-scale focused information campaigns on sexual exploitation. International and USG-funded efforts have helped supplement the Uruguayans' relatively limited resources. These programs have aided interdepartmental communication within the GOU and thus helped consolidate understanding of TIP as an important issue and added momentum to the government's anti-TIP efforts. END SUMMARY.

OVERVIEW OF URUGUAY'S ACTIVITIES TO ELIMINATE TIP

12. While official reports of trafficking are sparse, the GOU has nevertheless made significant efforts to develop its compliance with the minimum standards for the elimination of trafficking. Anti-trafficking legislation from January 2008 is currently being implemented and the Supreme Court has authorized the formation of two new courts to specialize in organized crime. These courts have jurisdiction over organized crime in general, and specifically include trafficking in persons in their mission. Efforts have also been made in the area of prevention. Recent studies have both identified potential TIP risk factors and attempted to understand the scale of the problem. Inter-departmental communication on TIP has been improved, with twice monthly committee meetings on the sexual exploitation of children being supplemented by monthly meetings of an inter-agency TIP committee which provides a platform for anti-TIP innovation. The GOU is participating in regional initiatives to fight sexual exploitation in border areas and an education campaign concerning sexual exploitation was directed at the country's tourist areas. A program to develop a rights-based approach to sex education is ongoing. A lack of resources continues to impede existing and new programs against trafficking and the government should increase efforts to train government personnel throughout the country to identify and investigate potential trafficking situations, and provide greater assistance to victims.

REPORTING QUESTIONS

URUGUAY'S TIP SITUATION:

1A. What is (are) the source(s) of available information on trafficking in persons? What plans are in place (if any) to undertake further documentation of human trafficking? How reliable are these sources?

- The Ministries of the Interior, Health, Education, Labor, Social Welfare Social Development and the National Institute for Minors and Adolescents (INAU), the Human Rights office within the Bureau of Political Affairs and the Consular Affairs Office of the Ministry of Foreign Affairs, NGO's, IOM and Interpol all constitute sources for reliable information on trafficking in persons. Most of these bodies express a need for more specific data on TIP. The Department of Immigration is currently reorganizing the management of its statistics. This new system will be more conducive to a TIP based

analysis.

The International Organization for Migrations (OIM), with the support of the National Institute for Children and Adolescents (INAU); The National Institute for Women (INAMU); the Ministry of the Interior; the Ministry of Public Health; the police and local authorities from the coastal province of Maldonado published a study about migration and trafficking in persons in eastern Uruguay. The study, financed by the USG, specifically addressed the issue of documentation of TIP cases, noting that many previous crimes had constituted TIP, but were not addressed as such before the term was widely employed in the country.

1B. Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children? Does trafficking occur within the country's borders? If so, does internal trafficking occur in territory outside of the government's control (e.g. in a civil war situation)? To where are people trafficked? For what purposes are they trafficked? Provide, where possible, numbers or estimates for each group of trafficking victims. Have there been any changes in the TIP situation since the last TIP Report (e.g. changes in destinations)?

- Uruguay is a minor source country for women trafficked for the purpose of commercial sexual exploitation. While reports suggest a small number are trafficked to Italy and Spain most are trafficked within the country, particularly to border and in tourist areas. Still, there have been no official reports of trafficking involving cross-border or in-country movement this year.

There have been eight cases of child pornography with 10 victims over the reporting year, which are currently in the process of being prosecuted, and four cases of child prostitution with three victims.

Although the IOM/GOU report identified several potential risk factors, and the GOU has found specific data regarding actual levels of TIP within the country difficult to generate, the overall level of TIP in the country is considered to be low. There have been no significant changes to the TIP situation since the last report. INAU reports suggest that it is possible that minors are being prostituted in border areas. An INAU investigation in one border town estimates that more than 20 cases may have occurred.

1C. What kind of conditions are the victims trafficked into?

- The few suspected cases during the reporting period suggest victims were exposed to poor conditions.

1D. Vulnerability to TIP: Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, IDPs, etc.)?

- Women and children, particularly girls, are frequently cited as being most at risk. There is no evidence of racial or ethnic groups being targeted, but those from impoverished backgrounds are universally cited as the most vulnerable.

1E. Traffickers and Their Methods: Who are the traffickers/exploiters? Are they independent business people? Small or family-based crime groups? Large international organized crime syndicates? What methods are used to approach victims? For example, are they offered lucrative jobs, sold by their families, or approached by friends of friends? What methods are used to move the victims (e.g., are false documents being used?). Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

- Officials consistently report that local and international crime rings that smuggle drugs and other contraband are behind most of the trafficking schemes in Uruguay. Some domestic operators may be independent and some are family-based. Some evidence suggests that a few hotel staff and taxi drivers may connect clients with exploiters. There is no evidence that significant profits come from trafficking in persons. Government agencies and NGOs agree that sexually exploited women in Uruguay are usually Uruguayans or crossed the border on their own valid travel documents and had first contact with their exploiters while in Uruguay. South Americans do

not generally need passports to travel to other South American countries.

SETTING THE SCENE FOR THE GOVERNMENT'S ANTI-TIP EFFORTS:

1A. Does the government acknowledge that trafficking is a problem in the country? If not, why not?

- Nearly all GOU agencies recognize that more research and training is needed to understand the extent of TIP in Uruguay. Although the GOU believes that the incidence of trafficking across borders in Uruguay is low, it nevertheless recognizes that trafficking in adults does occur and increasingly is focusing on the risks of child trafficking. Government authorities and NGOs state that exploited minors generally do not cross Uruguay's international borders.

1B. Which government agencies are involved in anti- trafficking efforts and which agency, if any, has the lead?

- The Ministry of the Interior has the lead in investigating TIP-related cases. Local police forces, INTERPOL, the Department of Migration, and the Ministries of Health, Education, Social Development, and Labor and Social Welfare (including INAU) also play a part in anti-trafficking efforts.

1C. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate? Is overall corruption a problem? Does the government lack the resources to aid victims?

- Limited government resources are the key constraint on Uruguay's pronounced political will to combat TIP from having greater impact. Judges and police outside of the capital have limited training. Law enforcement agencies have no budgets for investigative studies. Social service agencies cannot fully comply with many of their legislated mandates, including complete victim assistance. Despite increased educational spending including funds for TIP prevention programs, current resources could not cover the multitude of needs in the education system. According to Transparency International, Uruguay ranks high as a country with no corruption; there is no evidence to suggest that lack of resources is a result of corruption.

1D. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts - prosecution, victim protection, and prevention) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

- Presently, prevention, protection, prosecution, and investigation are tasks separated by agency and have seldom presented significant numbers of cases to merit systematic monitoring by the GOU. Following January 2008 TIP legislation, however, there is a developing recognition that data specific to TIP is increasingly important. The Ministry of the Interior's Migrations Department is both currently digitizing its past records and reviewing its current statistics system. This effort will better facilitate management of data pertinent to TIP.

During this reporting year, the Ministry of Social Development formed an interagency committee to address TIP issues. The committee meets once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (the judges from the new organized crime courts), Ministry of Foreign Affairs (Human Rights Department and Consular Issues Department); and INAU. This group was formed in response to the IOM study, and they are working on a plan of action to formally respond to the study.

Additionally, the INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" (formed 2004) meets every 15 days. In these meetings, representatives from INAU, the police, INTERPOL, the Ministry of the Interior; the Ministry of Social Development and the Ministry of Health discuss on going cases and prevention of all sexual abuse to minors including TIP.

Regionally, during the reporting cycle, Uruguay was an active participant in the first Mercosur conference on TIP and child pornography June 2008. The conference comes on the heels of a 2008 Mercosur agreement to coordinate efforts to combat sexual exploitation in border areas between Uruguay, Argentina, Chile and Paraguay.

INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

For questions A-D, posts should highlight in particular whether or not the country has enacted any new legislation since the last TIP report.

1A. Existing Laws against TIP: Does the country have a law or laws specifically prohibiting trafficking in persons - both for sexual exploitation and labor? If so, please specifically cite the name of the law(s) and its date of enactment and provide the exact language [actual copies preferable] of the TIP provisions. Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes (e.g., civil forfeiture laws and laws against illegal debt). Does the law(s) cover both internal and transnational forms of trafficking? If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud, or coercion? Are these other laws being used in trafficking cases?

- In January 2008 Uruguay enacted a new immigration law containing articles 78, 79 and 80 which address most trafficking-related crimes that fall under commercial sexual exploitation of children, fraud and slavery. The law clarifies penalties against recruitment, transport, transference, housing or receipt of persons for forced work or labor, slavery or similar practices, servitude, sexual exploitation, removal and extraction of organs or any other activity which undermines human dignity. These articles supplemented previous laws against forced labor, sexual assault, and unlawful detention which could also be used against traffickers. Taken together, these laws adequately cover trafficking within Uruguay.

Within the last reporting year, two special courts have been established by the Supreme Court, specifically to address organized crime. They have country-wide jurisdiction and will hear cases on: trafficking in persons, sex trafficking, child prostitution and child pornography as well as arms trafficking, money laundering and financial crime.

1B. Punishment of Sex Trafficking Offenses: What are the prescribed and imposed penalties for trafficking people for sexual exploitation?

- Penalties for violation of child pornography laws range from one to two years in prison. A person convicted of pimping children would receive a sentence of four to 16 years. Forced sexual exploitation of an adult would be prosecuted under forced labor statutes. The new migration law applies the penalty of four to sixteen years of imprisonment to all TIP-related crimes.

1C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor?

- Forced labor or unlawful detention carries a penalty of six to twelve years in prison. Detention of the victim for more than 10 days or if the victim is less than fifteen years old are considered aggravating circumstances which can push the penalty toward the maximum. The new migration law applies the penalty of four to sixteen years of imprisonment to all TIP related crimes.

If your country is a source country for labor migrants, do the government's laws provide for criminal punishment -- i.e. jail time -- for labor recruiters who engage in recruitment of workers using knowingly fraudulent or deceptive offers with the purpose of subjecting workers to trafficking in the destination country? If your country is a destination for labor migrants, are there laws punishing employers or labor agents who confiscate workers'

passports or travel documents for the purpose of trafficking, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service?

- Although Uruguay is neither a significant source nor a significant destination country for migrant workers, anybody engaged in fraudulent recruitment, transport, transfer or reception of forced labor victims, is liable for prosecution under the January 2008 anti-TIP laws. The penalty is between 4 and 16 years in prison.

1D. What are the prescribed penalties for rape or forcible sexual assault? (NOTE: This is necessary to evaluate a foreign government's compliance with TVPA Minimum Standard 2, which reads: "For the knowing commission of any act of sex trafficking . . . the government of the country should prescribe punishment commensurate with that for grave crimes, such as forcible sexual assault (rape)."
END NOTE)

- The penalties for rape or sexual assault range from one to eight years in prison. Sexual assault or attempted sexual assault carries two to twelve years, and violence is presumed if the victim is less than fifteen years old.

1E. Law Enforcement Statistics: Did the government prosecute any cases against human trafficking offenders during the reporting period? If so, provide numbers of investigations, prosecutions, convictions, and sentences imposed, including details on plea bargains and fines, if relevant and available. Please note the number of convicted traffickers who received suspended sentences and the number who received only a fine as punishment. Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers. Also, if possible, please disaggregate numbers of cases by type of TIP (labor vs. commercial sexual exploitation) and victims (children under 18 years of age vs. adults). If in a labor source country, did the government criminally prosecute labor recruiters who recruit workers using knowingly fraudulent or deceptive offers or by imposing fees or commissions for the purpose of subjecting the worker to debt bondage? Did the government in a labor destination country criminally prosecute employers or labor agents who confiscate workers' passports/travel documents for the purpose of trafficking, switch contracts or terms of employment without the worker's consent to keep workers in a state of service, use physical or sexual abuse or the threat of such abuse to keep workers in a state of service, or withhold payment of salaries as a means to keep workers in a state of service? What were the actual punishments imposed on persons convicted of these offenses? Are the traffickers serving the time sentenced? If not, why not?

- The government and the judiciary made progress in promptly investigating and prosecuting potential trafficking cases during the reporting period. Most proceedings are currently being processed under legislation that pre-dates the Jan 2008 anti-TIP law. One trafficking in persons case is being pursued under the 2008 anti-tip legislation, but at the end of the reporting cycle the case was still under investigation.

- Following accusations from parents, three men were arrested in the city of Salto for the production and selling of pornography featuring boys under the age of 18. They appear to have been operating as part of an international network and are presently being prosecuted for the crime of sexual assault against children or adolescents. Each child was offered between \$20 and \$40 for the photographs. The perpetrators are in prison awaiting trial.

- A businessman from the city of Maldonado was arrested for the production of child pornography having drugged an 11-year-old girl and taken naked pictures of her as she slept. It is not known if he sold the images. He is in prison awaiting trial.

- A woman was arrested for pimping her two daughters. The girls are 15 and 16, but they had been prostituted by their mother from the ages of 12 and 13. The case is ongoing.

- A 26-year-old woman was arrested for pimping and the sexual exploitation of a minor. She had been pimping several women, one of whom was found to be a minor aged 16 years.

- A street trader in the city of Paysandu was arrested for paying a 12 year old girl for oral sex in public. He was charged with paying or promising to pay a minor for the execution of sexual or erotic acts.

1F. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking? Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

- Within the reporting year, the USG sent three government officials: the head of the Department of Migration; a prosecutor attached to the new organized crime court; and a judge to a high-level officials International Law Enforcement Academy TIP Training course in Lima. The Ministry of Social Development has provided training on recognition and response to TIP-related crime to 25 consular officials (in three training cycles) who are going to be stationed in high risk countries. The Department of Migrations has received training, sponsored by the British Government, on the identification of false documents and now includes these techniques in its "in-house" training program. INTERPOL's Uruguayan division has attended two international TIP seminars. Despite these training opportunities, NGO contacts state that police and judges in the provinces are often unfamiliar with new procedures or legislation. Law enforcement officials regret this gap and attribute it to a lack of funds for transportation and staff training.

1G. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, provide the number of cooperative international investigations on trafficking during the reporting period.

- The government cooperates with neighboring and European authorities on international trafficking cases. Direct cooperation among regional immigration services took place during the year, and the Government actively participates in regional dialogue sponsored by IOM, but there are no known regional investigations. In November of 2008, Uruguay signed a Mercosur agreement designed to coordinate efforts to combat sexual exploitation in border areas between Uruguay, Argentina, Chile and Paraguay. Uruguay is especially interested in three towns situated close to the border with Brazil. The regional plan is set to commence on February 15, 2009 with financial support from the Inter-American Bank. The INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" regularly communicates with its equivalent bodies in neighboring countries.

1H. Does the government extradite persons who are charged with trafficking in other countries? If so, please provide the number of traffickers extradited during the reporting period, and the number of trafficking extraditions pending. In particular, please report on any pending or concluded extraditions of trafficking offenders to the United States.

- In general, Uruguay freely cooperates with extradition requests as long as the prisoner is not political and capital punishment is not a possibility. We are aware of no TIP-related extradition requests during the reporting period.

1I. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

- There are no cases of government involvement in trafficking. There is one case in which an immigration official in an overseas consulate had allegedly taken bribes in order to facilitate the processing of illegal business visas, but this case is still under investigation and has not resulted in a trafficking in persons case.

1J. If government officials are involved in trafficking, what steps has the government taken to end such participation? Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period. Have any been convicted? What sentence(s) was imposed? Please specify if officials received suspended sentences, or were given a fine, fired, or reassigned to another

position within the government as punishment. Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.

- Currently an immigration official is under investigation for allegedly taking bribes in order to facilitate the processing of illegal business visas which may have facilitated trafficking.

1K. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitutes criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced? If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in countries with federalist systems, prostitution laws may be under state or local jurisdiction and may differ among jurisdictions.

Prostitution is legal. Brothels, discos, shows, and massage parlors are inspected to ensure that minors are not working there. The minimum age for the activity is 18. Pimping is illegal, and sentences are higher when the cases involve minors. The law is enforced regularly. The new migration law applies the penalty of four to sixteen years of imprisonment to all TIP-related crimes.

1L. For countries that contribute troops to international peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the country deployed abroad as part of a peacekeeping or other similar mission who engaged in or facilitated severe forms of trafficking or who exploited victims of such trafficking.

- No Uruguayan members of peacekeeping missions have been accused of TIP. In past years all cases of sexual abuse have been vigorously investigated, prosecuted, convicted and sentenced by national or military courts.

1M. If the country has an identified problem of child sex tourists coming to the country, what are the countries of origin for sex tourists? How many foreign pedophiles did the government prosecute or deport/extradite to their country of origin? If your host country's nationals are perpetrators of child sex tourism, do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act) to allow the prosecution of suspected sex tourists for crimes committed abroad? If so, how many of the country's nationals were prosecuted and/or convicted during the reporting period under the extraterritorial provision(s) for traveling to other countries to engage in child sex tourism?

- Child sex tourism is not a major problem in Uruguay. Although some reports suggest some sexual tourists arrive from Brazil, as yet, no cases link specific tourists to sexual exploitation. There is no evidence that Uruguayans travel abroad for sex tourism, but no study has been conducted. Uruguay's legislation against sex with, pimping of, or lewd acts upon children does not have extraterritorial coverage.

PROTECTION AND ASSISTANCE TO VICTIMS:

1A. What kind of protection is the government able under existing law to provide for victims and witnesses? Does it provide these protections in practice?

- The GOU holds the names of victims anonymous. Witness statements are usually presented in written form, and as such, anonymity is more tightly controlled. The January 2008 migration law makes specific reference to those reporting TIP crimes, the witnesses to such crimes and the victims and offers them the same protection afforded to accusers, victims, witnesses and their families under law number 18.026 "Cooperation with the international criminal court in the subject of the struggle against genocide, war crimes and human abuse." Article 13 of this law provides that, should a judge deem it necessary, the state will provide security, and support physical and social well-being. In practice, however, this doesn't amount to much aside from possible police vigilance during the case.

As no cases have yet reached a conclusion under the January 2008 Migration law, these provisions have not been tested. Several GOU officials, INTERPOL and NGO professionals have highlighted victim

and witness protection as a weak area that needs to be substantially strengthened. Any witness/victim protection program, however, faces the challenge presented by limited resources.

1B. Does the country have victim care facilities (shelters or drop-in centers) which are accessible to trafficking victims? Do foreign victims have the same access to care as domestic trafficking victims? Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)? Does the country have specialized care for adults in addition to children? Does the country have specialized care for male victims as well as female? Does the country have specialized facilities dedicated to helping victims of trafficking? Are these facilities operated by the government or by NGOs? What is the funding source of these facilities? Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period.

- The government provides technical assistance to NGOs working in the area of protection of victims of trafficking. Uruguayan law provides legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The GOU attempts to provide access to legal, medical and psychological care for victims of trafficking; however, not all services are available throughout the country and as a result, some victims were unable to benefit from the services offered. Government and NGO shelters for assistance to female victims of abuse operated in the capital but could not accommodate the demand for shelter. GOU facilities are mandated to assist trafficking victims but do not record the reason assistance was granted, hence no record of assisting trafficking victims exists. Courts refer victimized minors to the child welfare agency, INAU, for processing, assistance, and possible reunification with their families. INAU shelters were available to children who were victimized by their families.

Adult victims of trafficking have the right to refer themselves to GOU services, and standard procedure requires police to refer victims to government and/or NGO shelters. Victims are entitled to free medical and psychological care. There is no specialized care for men.

International Organization for Migration (IOM) works with trafficking victims in Uruguay. IOM provides trafficking victims basic monetary help, psychological and legal support upon arrival if needed. They assist victims in contacting the National Institute for Women's Affairs and the Public Health Ministry. The funding for these services is provided by IOM.

1C. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided.

To overcome the challenge of services to rural areas, the Department of Social Development has assembled a mobile, legal, medical and psychological team to respond specifically to the needs of TIP victims.

Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for providing these services to trafficking victims? Please explain and provide any funding amounts in U.S. dollar equivalent. If assistance provided was in-kind, please specify exact assistance. Please specify if funding for assistance comes from a federal budget or from regional or local governments.

- The Department of Social Development is in regular and close contact with NGOs working in the field, but most TIP-specific funding comes from international donors. The Ministry of Social Development and INAU funds women's and children's shelters that are available to TIP victims. Additionally, the Ministry of Social Development supported the local NGO Casa Abierta to publish and hand out information leaflets on TIP to sex workers while undergoing mandatory medical checkups.

1D. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

- While the GOU would, in theory, care for foreign victims of TIP, no confirmed cases of such victims have ever been recorded.

¶E. Does the government provide longer-term shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives?

- TIP victims are eligible for the same benefits as victims of domestic violence. Some with job-training programs exist, and housing assistance may be awarded based on income level.

¶F. Does the government have a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care (either government or NGO-run)?

- Government and non-government entities report a high level of cooperation. Although there is no formal referral process, good interagency communication facilitates easy access to victim assistance.

¶G. What is the total number of trafficking victims identified during the reporting period? Of these, how many victims were referred to care facilities for assistance by law enforcement authorities during the reporting period? By social services officials? What is the number of victims assisted by government-funded assistance programs and those not funded by the government during the reporting period?

- 14 trafficking victims have been identified during the reporting period, all from child pornography or child prostitution cases. Care facilities were offered to all victims, but most families opted to forego public assistance and pay for private care. It is difficult to obtain data in this area because of regulations to protect victims.

¶H. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact (e.g. foreign persons arrested for prostitution or immigration violations)? For countries with legalized prostitution, does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

- The GOU does not have a formal system of identifying victims of trafficking among high-risk persons they come into contact but the Ministry of Social Development has provided, and continues to provide, training on recognition and response to TIP related crime to officials who may confront TIP situations, including consular officials, police, and judiciary system officials.

During this reporting year, the Ministry of Social Development formed an interagency committee to deal with TIP issues. The committee meets once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (judges from the organized crime courts); Ministry of Foreign Affairs (Human Rights and Consular Affairs Departments); and INAU. Additionally, The INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" meets every 15 days. In these meetings representatives from INAU, the police, INTERPOL, the Ministry of the Interior, the Ministry of Social Development, and the Ministry of Health discuss ongoing cases and the prevention of all sexual abuse to minors including TIP.

¶I. Are the rights of victims respected? Are trafficking victims detained or jailed? If so, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

- Victims' rights are generally respected, and there were no reports of victims being jailed, deported, or otherwise penalized in the reporting period.

¶J. Does the government encourage victims to assist in the investigation and prosecution of trafficking? How many victims assisted in the investigation and prosecution of traffickers during the reporting period? May victims file civil suits or seek legal

action against traffickers? Does anyone impede victim access to such legal redress? If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings? Are there means by which a victim may obtain restitution?

- The GOU encourages but does not force victims to assist in the investigation and prosecution of trafficking. There are no obstructions to victims who seek to press charges against their exploiters or pursue civil action. In some criminal cases, Uruguayan citizens are not permitted to leave the country, but there is no precedent of such prohibition in a trafficking case.

January's anti TIP legislation (article 80) in reference to accusers, victims, witnesses and their families cites law number 18.026: "Cooperation with the International Criminal Court in the subject of the struggle against genocide, war crimes and human abuse". Article 14 of this law provides for financial compensation for victims.

1K. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children? Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries? What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period? Please explain the type of assistance provided (travel documents, referrals to assistance, payment for transportation home).

- The Department of Social Development has provided training on recognition and response to TIP related crime to 25 consular officials (in three training cycles) who are to be stationed in high risk countries. Additionally the Department of Social Development organized meetings with Uruguayan Ambassador to Italy to discuss TIP issues. Although there have been no cases in this reporting year, the Uruguayan consulate has, on previous occasions, sent staff abroad to care for victims, ensure their well-being and accompany them safely home.

1L. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

- Housing and medical services are available, in theory, to all Uruguayan citizens in need. In practice, these provisions are largely inadequate for victims of TIP who often are obliged to rely on family support.

1M. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities?

- The government, NGOs and international organizations work together to prevent, investigate, and apprehend traffickers. The NGOs dealing in TIP do so as part of other issues such as women, children, or family issues, and NGOs in Uruguay are generally weak. IOM, El Faro, SOMOS, Arco Iris, Andenes, Claves - Juventud Para Cristo, Casa Abierta, and BICE (Catholic technical assistance) are NGOs that work with trafficking victims. Some NGOs offer treatment for victims of abuse and trafficking and others provide shelter, food or education. Assistance to victims of labor and sexual exploitation of minors is available through INAU and NGOs.

PREVENTION:

1A. Did the government conduct anti-trafficking information or education campaigns during the reporting period? If so, briefly describe the campaign(s), including their objectives and effectiveness. Please provide the number of people reached by such awareness efforts, if available. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)?

- Government efforts to raise public awareness, particularly among groups most vulnerable to trafficking, increased during the

reporting period. Following the publication of its report on sexual exploitation in tourist areas, INAU embarked upon a large-scale information campaign to raise awareness of the issue, particularly the prostitution of minors. Some 50,000 leaflets and 5,000 posters have been distributed by youth activists. Concentrating their efforts on tourist areas, INAU also spoke in schools and in hotels. Although there is no official data to measure the effectiveness of the campaign, feedback has been very positive. For example, hotel staff are reportedly more conscious of the possible implications of minors entering hotels with adults who are non-family members.

The Ministry of Education maintained and expanded its rights-based sex education curriculum which includes anti-trafficking segments. The Ministry of Social Development produced pamphlets to warn sex workers of common TIP scams to be distributed at mandatory medical checkups.

The child welfare authorities (INAU) use public service announcements to advertise their Blue Line hotline program to report abuse/exploitation. Neither the coverage nor the effectiveness of Blue Line announcements has been measured.

1B. Does the government monitor immigration and emigration patterns for evidence of trafficking?

- The Department of Migration is currently reorganizing the management of its statistics, both by digitizing its past records and reviewing its current statistics system. This will facilitate both management and analysis of data pertinent to TIP.

1C. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force?

- Although more could be done, interagency communication on TIP issues has been greatly enhanced by the formation of an interagency TIP committee by the Ministry of Social Development. The committee meets once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (judges from the organized crime courts); Ministry of Foreign Affairs (Human Rights and Consular Affairs Departments); and INAU. Additionally, the INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" meets every 15 days. In these meetings representatives from INAU, the police, INTERPOL, the Ministry of the Interior, the Ministry of Social Development, and the Ministry of Health discuss ongoing cases and the prevention of all sexual abuse to minors including TIP.

The GOU actively participates in international training when available. Uruguay benefited greatly from international meetings and has effectively used these opportunities to frankly address TIP issues among different agencies and with neighboring governments.

1D. Does the government have a national plan of action to address trafficking in persons? If the plan was developed during the reporting period, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to implement the action plan?

- The interagency TIP committee, formed by the Ministry of Social Development, is working towards the creation of a more formal, coordinated plan of action. The committee works closely with relevant NGOs. The GOU is a full participant in Mercosur regional action plan to combat sexual exploitation in border areas. The plan is to commence on February 15th 2009.

E: What measures has the government taken during the reporting period to reduce the demand for commercial sex acts?

- During this reporting period, following the publication of its report on sexual exploitation in tourist areas, INAU embarked upon a large scale information campaign to raise awareness of the issue, particularly the prostitution of minors. Some 50,000 leaflets and 5,000 posters have been distributed by youth activists. Concentrating their efforts on tourist areas, the INAU also spoke in schools and in hotels. Although there is no official data to

measure the effectiveness of the campaign- feedback has been very positive, for example, hotel staff is reportedly more conscious of the possible implications of minors entering hotels with adults who are non-family members.

¶F. Required of all Posts: What measures has the government taken during the reporting period to reduce the participation in international child sex tourism by nationals of the country?

- INAU believes its information campaign concerning sexual exploitation may have impact on nationals participating in sex tourism abroad.

¶G. Required of posts in countries that have contributed over 100 troops to international peacekeeping efforts: What measures has the government adopted to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking or exploit victims of such trafficking? If posts do not provide an answer to this question, the Department may consider including a statement in the country assessment to the effect that "An assessment regarding Country X's efforts to ensure that its troops deployed abroad for international peacekeeping missions do not engage in or facilitate trafficking or exploit trafficking victims was unavailable for this reporting period."

- As part of the training for all peacekeepers that are going abroad, there is extensive training including on sexual abuses of which specific modules on TIP are included. The training is based on UN requirements and regulations and includes identifying TIP crimes and emphasizing the obligation of peacekeeping troops to protect civilians. Soldiers are required to either prevent or denounce the crime.

In 2004 some sex abuse cases followed the UN's redefinition of sexual abuse. There were 30 accusations of which there were approximately 10 valid cases. These cases were primarily dealt with in civil courts. Military courts are used for offenses specific to military law. Since then there have been very few sex abuse cases, and no TIP cases. Uruguay now has a Zero Tolerance policy for any sexual activity in the field due to the high risk involved. Uruguay has shortened the assignments to 6 months, in part to make this policy less of a hardship. Uruguay's peacekeeping missions have a legal attache that counsels, defends, and/or accuses the Uruguayan officers.

In September 2008, 67 Uruguayan peacekeepers attended the Defense Institute of International Legal Studies course on Border Security and Legal Aspects of Combating Terrorism. 15 Uruguayans were trained to teach the course, have led courses in Guatemala, and plan to teach more regionally.